

**CHAPTER NO. 175**

**SENATE BILL NO. 770**

**By Burchett**

**Substituted for: House Bill No. 1391**

**By Harry Brooks**

AN ACT to amend Tennessee Code Annotated, Title 70, Chapter 9, Part 1, relative to the Tennessee Off-Highway Vehicle Act.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 70-9-107(a), is amended by adding the following language to the beginning of the subsection:

Except as provided in subsection (d),

SECTION 2. Tennessee Code Annotated, Section 70-9-107(d), is amended by adding the following language to the end thereto:

A violation of this subsection is a Class C misdemeanor, subject to a fine only of fifty dollars (\$50.00). Each day's violation of this subsection shall be considered a separate offense. Provided, in lieu of a fine pursuant to this subsection, if land is damaged a court may order the violator to pay restitution to the landowner or to restore the property to a state comparable to its original undamaged state.

SECTION 3. This act shall take effect July 1, 2005, the public welfare requiring it.

**PASSED: April 28, 2005**

  
JOHN S. WILDER  
SPEAKER OF THE SENATE

  
JIMMY NAIFEH, SPEAKER  
HOUSE OF REPRESENTATIVES

**APPROVED this 17<sup>th</sup> day of May 2005**

  
PHIL BREDESEN, GOVERNOR